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IMMIGRATION FALLACIES

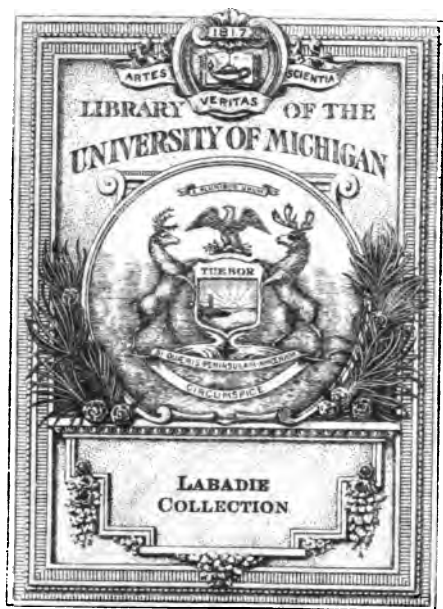
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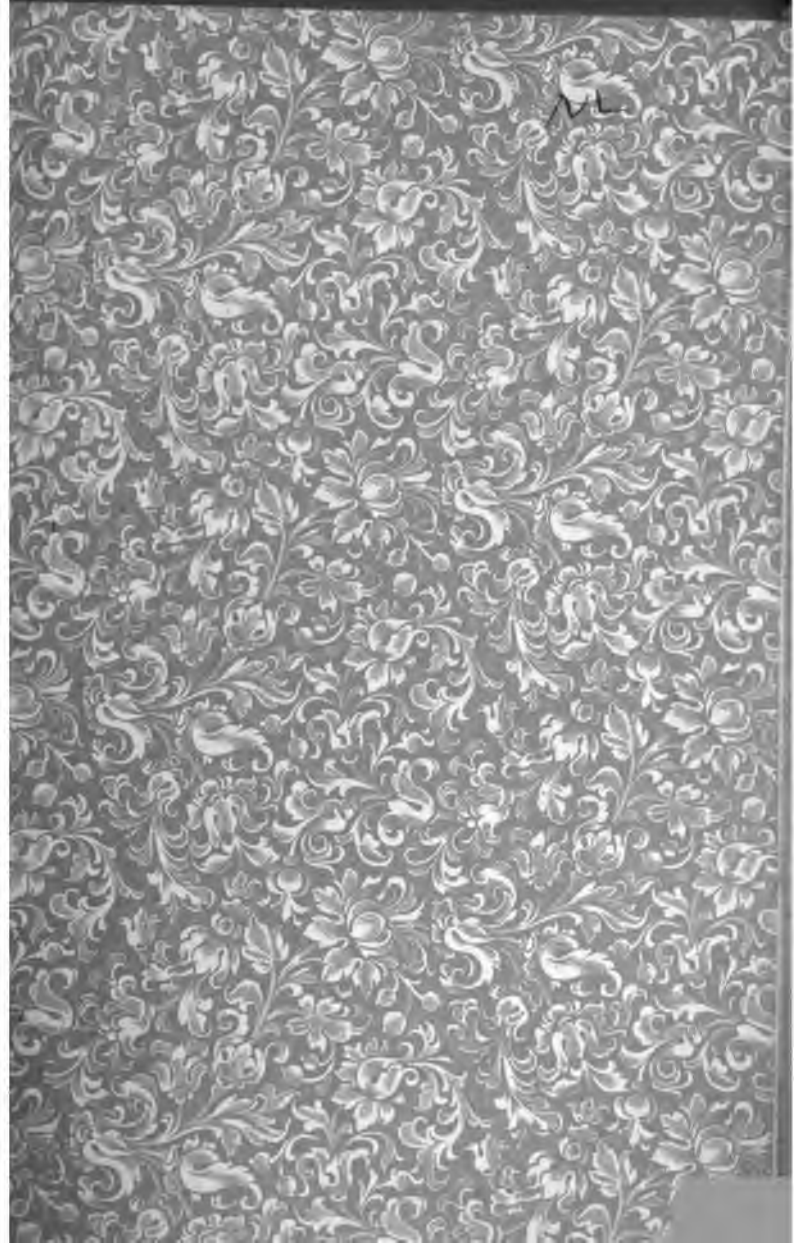
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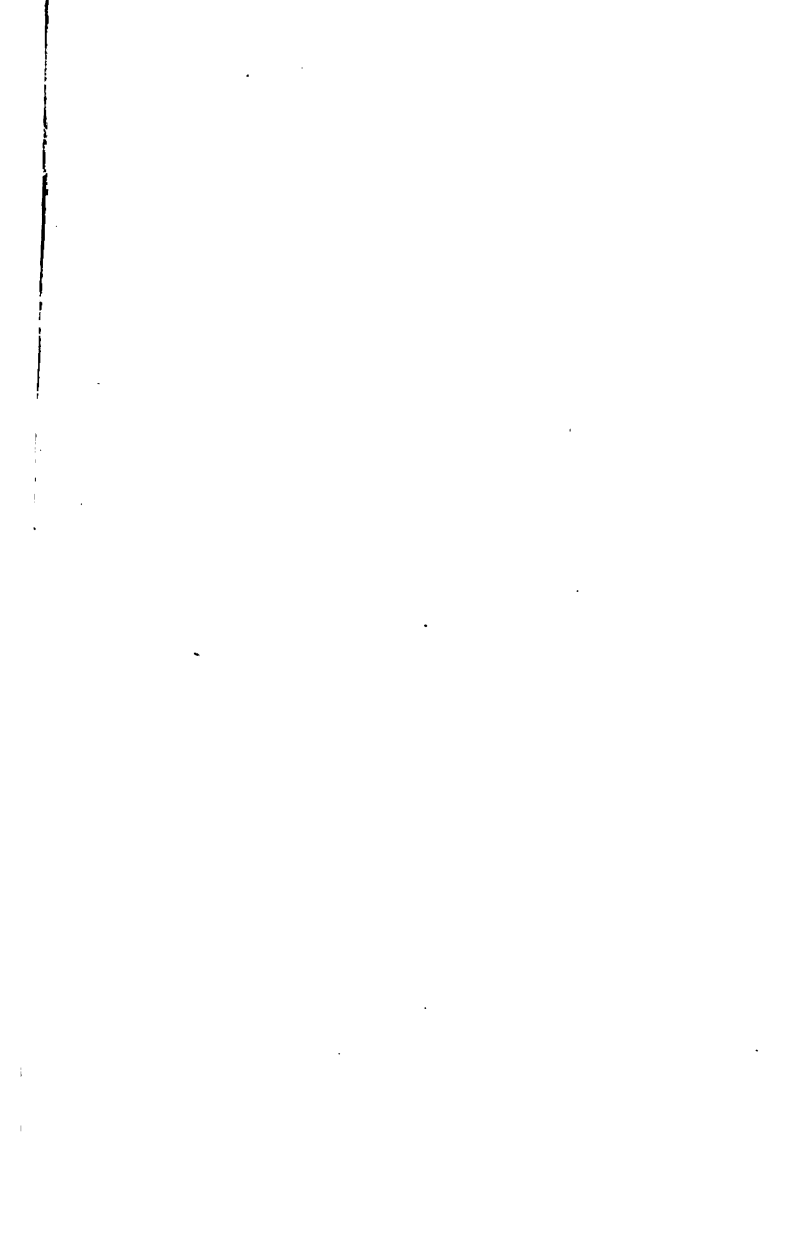
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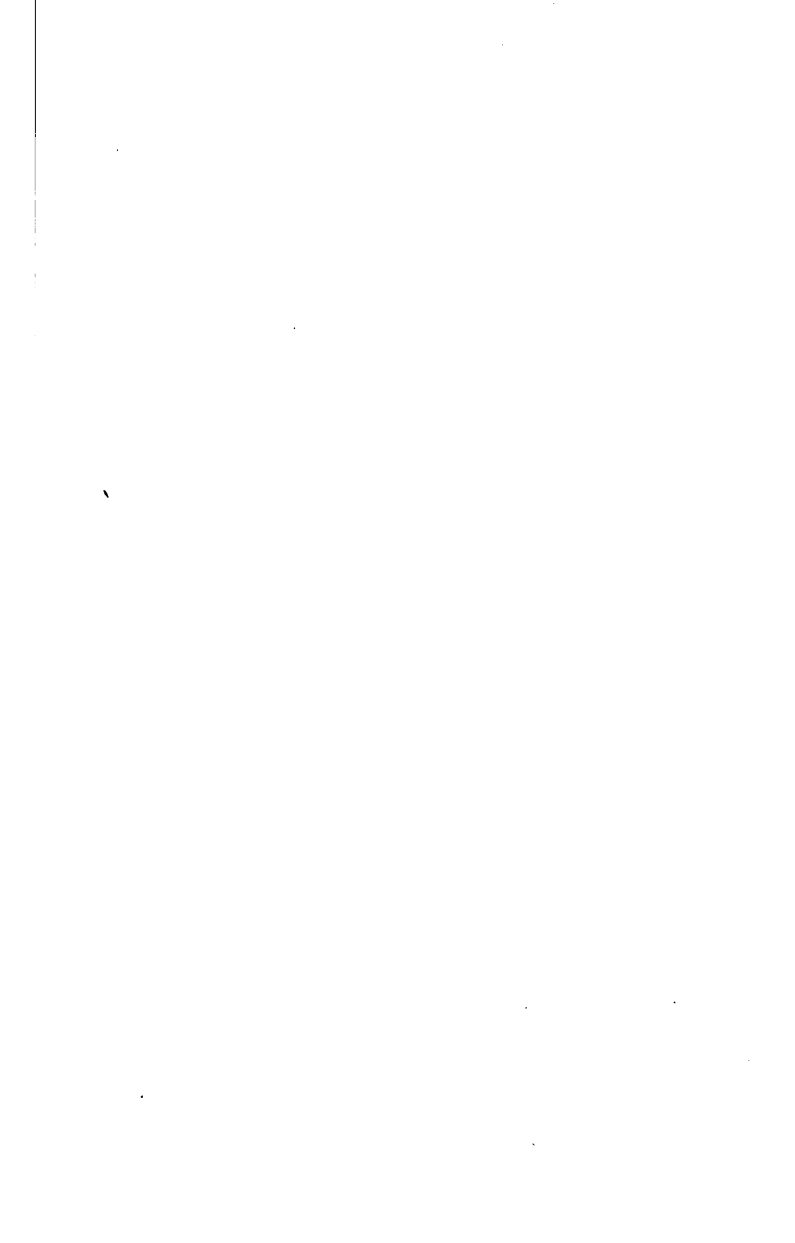












IMMIGRATION FALLACIES

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IMMIGRATION FALLACIES.

IMMIGRATION FALLACIES.

SYNOPSIS.

INTRODUCTORY.

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The benefits of immigration more obvious than some of the drawbacks. In chapters following the economic value of immigration is conceded, for sake of the argument. Economic objections, however, readily suggest themselves even in the fields of manufacture and agriculture. Apparent need to revise estimate of economic value of the immigrant to the manufacturer. With regard to agriculture, the rapid decrease of the public lands has an important bearing. Macaulay's celebrated prophecy. The danger of over-rapid development. The great increase of population in connection with immigration. 13

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INTRODUCTORY.

The benefits of immigration are familiar and obvious, but with the drawbacks and dangers the case is different. Some of the latter are below the surface ; the influence of others is indirect and not easy to trace. So far as this little volume tries to trace them its pages—whatever their other shortcomings—ought not to lack interest, but if they do the fault lies with the author and not with the subject. For the influence of the immigrant touches our civilization at every point, and shapes as no other influence can the future of the nation.

In the chapters following, the economic value of immigration is conceded for the sake of the argu-

ment. The objections to it are placed on other, if not higher, grounds. Not that economic objections are lacking. On the contrary, they readily suggest themselves; but with so few reliable data available it is difficult to determine the weight and force of these economic objections.

Immigration discussion and research, confined as a rule to strictly conventional lines, is based on the assumption that, from a material standpoint at least, the immigrant has always been a great boon to our manufacturing and agricultural interests. How far this assumption is well founded, however, is certainly open to question.

Three or four years ago a society in a Western town compiled some statistics that proved quite surprising to the investigators. A circular was sent to several hundred employers of labor, mostly leading

merchants and manufacturers in various sections of the country. One question of the circular was whether the immigration of the last few years had advanced or retarded development in the various lines of industry referred to. The replies to this question were of a nature to awaken much doubt in the minds of the readers whether manufacturing interests would not on the whole and in the long run be better off without any more labor immigration whatever. This attempt to feel the pulse of industry, while not sufficiently extended to be at all conclusive, sufficed to show that estimates of the economic value of the immigrant to the manufacturer might need to be considerably revised.

In the field of agriculture we can no longer ignore the relation borne by an immigration of several hundred thousand per annum to the

rapid increase of population and still more rapid decrease of the public lands. What little remains of the valuable part of the public lands will very soon be gone. That outlet to surplus energy and alleviator of discontent, that great national safety valve, we are already beginning to miss, as witness the increasing congestion in centres of population and the mad rush of the homeless into Oklahoma and the Cherokee Strip.

Such conditions recall Macaulay's prophecy that with the exhaustion of our lands and the pressure of a surplus population will come the real test of our institutions.* Those institutions may

* This prediction of Macaulay, made in 1857 in a letter to an American friend of his, is sometimes misquoted. Macaulay wrote: "As long as you have a boundless extent of fertile and unoccupied land your laboring population will be far more at ease than the laboring populations of the old world. But

prove equal to that or any test in the future as in the past, but is it the part of wisdom to heedlessly hasten the time of that test or to carefully prepare to meet it? Looked at in this way the marvellous growth of the West has in its rapidity an element of danger to the country at large. It is sometimes said that if the great bulk of the immigrants could be diverted from overcrowded cities, mines, and factories to the Western prairies all would be well.

But the objections to the immigrants on the score of their character and numbers still hold good

the time will come when New England will be thickly populated. . . . Wages will be as low and will fluctuate as much with you as with us. You will have your Birminghams and Manchesters, and in these Birminghams and Manchesters hundreds of thousands of artisans will assuredly be some time out of work. Then your institutions will be fairly brought to the test."

to a considerable extent. Immigration from East to West is highly desirable for both sections, and the best class of foreign immigration has great value for the West. But the very large class of low-grade or labor immigration brings no real benefit, and has not done so for many years.

Of course progress in some directions would have been perceptibly slower without it. The population of the country would be some million smaller, and much good work might not have been done. But, on the other hand, we should still have it to do, and we should also have a great deal more land left to till and occupy.

The twentieth century will dawn upon nearly seventy-five million Americans. Their natural increase alone will soon raise the population to a hundred million, and some children now living are

likely to be counted in a census of a hundred and fifty million. Such figures plainly indicate that the present agitation for a change of policy cannot die out for any length of time. The demand for restriction will continue to grow, and the need of it will soon be imperative.



IMMIGRATION FALLACIES.

CHAPTER I.

OUR IMMIGRATION POLICY ; ITS SOCIAL ASPECTS.*

DURING the past few years, public attention has been rather forcibly attracted to the quantity and the quality of our foreign immigration. The searching investigation of the Ford congressional committee of 1888-9 revealed a state of affairs that was far from reassuring. Press and pulpit have agitated for reform. Indeed, a significant change is apparent in the attitude of the press.

* This chapter first appeared in the *Arena*, August, 1890.

Until recently the subject received little consideration, but leading journals now urge with practical unanimity the need of restrictive legislation, and several periodicals in various parts of the country devote themselves almost exclusively to the discussion of immigration and kindred questions.

No doubt to a growing feeling of popular discontent with the present condition of affairs may be attributed the sudden appearance of a new party in the West—a party which advocates radical changes in immigration, naturalization, and the unlimited purchase of land by non-resident aliens.* In fact the signs of the times seem to point to a considera-

* This reference is to the "American Party," some of whose tenets in a modified form are now advocated by the A. P. A. and other similar societies, and also to some extent by all the political parties.

tion or, more accurately, to a reconsideration of the great problem of immigration.

Of course there are various methods in which such a subject may be treated. We may regard it, for instance, from a political standpoint or from a material or economic point of view ; or, as indicated by the character of this article, the question may be considered purely in its social aspects.

It is somewhat important to bear these distinctions in mind, because in past discussions they have been frequently lost sight of. To refute a social objection to immigration the economic argument has been adduced, or else the latter has been calmly cited as if it covered the entire case and conclusively settled further discussion. But manifestly it does not do so. On the contrary, a distinguished writer recently, while conceding the force

of the economic argument, clearly indicated its inconclusive nature. To quote from a magazine article by Hon. Hugh McCullough, the writer referred to: "It is estimated," he says, "that since the foundation of our government more than thirteen millions of immigrants have come to the United States, and that if each brought with him sixty dollars in money the pecuniary gain has been about eight hundred million, but the gain in this respect has been small in comparison with what the immigrants were worth as laborers in the various branches of industry. Estimating them to have been equal in value to the slaves in the Southern States, they have added to our national wealth three times as much as our national debt amounted to at the close of the war!" But the writer goes on most pertinently to remark, the

italics not being his: "What the *offsets* may be to this enormous gain is yet to be determined. The true wealth of a nation is not to be measured by acreage or money, but by the *quality of its people*. If the effects of foreign immigration should prove to be deleterious to the *character of the population* the gain referred to would have been dearly acquired."

These words are most striking and suggestive. The commonweal, which is, after all, but another name for Commonwealth, does *not* depend solely or chiefly on material resources or on the extent of the national domain. Of true national greatness material resources, however important an element, are not the origin or source. The whole history of the human race shows that moral considerations, moral influences and tendencies are far more permanent

and lasting. Upon the character of the people has national greatness depended in the past ; upon the character of her people does American greatness and American civilization depend to-day.

Such a reflection raises, or should raise, the whole subject of immigration above mere partisan considerations and place it upon a vastly higher and broader plane. What bearing does immigration have upon the character of our people ? What influence does it have in moulding and developing the character of the nation ?

It is not customary to speak of a nation's character in this sense. Yet every nation manifestly has a character of its own as distinct as those of the individuals who compose it. And, to take a step further, we may say without pressing the analogy too far, that as the character of the individual

is shaped and often strengthened by the very obstacles with which his destiny confronts him, the national character is determined very largely by the success of a nation in removing or overcoming the barriers which lie in the path of *its* development, or in other words upon the solution of what are called national problems.

Our own nation's progress and character, for example, obviously depend upon the temper in which we face our national problems and the resolution we display in grappling with them, and a little consideration will show that the relations which immigration bears to certain of these problems assume an importance which can scarcely be overestimated—towards the attitude of labor to capital, for instance, or to purity of the ballot, towards the liquor traffic, or Mormonism.

With regard to Mormonism it might perhaps be hoped that immigration will act to some extent as a corrective of the evil and ultimately aid us in supplanting it. Immigration of the right sort would, no doubt, exert such an influence. Up to the present time, however, it does not appear to have done so. On the contrary, Mormonism, though of native birth, has been nurtured almost entirely upon foreign immigration. The growth and prosperity in this nineteenth century of such an institution, "the twin relic of barbarism," is a phenomenon which has amazed the world and become our national reproach.

For many years we employed against it every agency at our command. But Mormonism continued to baffle all the efforts of government and people. We could not suppress it. It was not

even checked, but continued to expand in various directions, and its adherents increased faster than the "Gentile" population. And why? Because the supply is, or has been, practically inexhaustible, being constantly renewed among the nations of Europe. For the Mormons make few converts in this country except among immigrants lately landed. Their methods and motives are too well known, and education and intelligence are too common. But their agents were for many years busily at work in various quarters of Europe. Thousands of ignorant, unsuspicious foreigners have been inveigled to the West and brought into the fold.

The fact is that Mormonism would have yielded to the force of public opinion much sooner than it did but for the constant accessions from abroad that recruited,

yes, and vastly multiplied its ranks. Recent legislation is supposed to have solved the "Mormon Problem," so far, that is, as legislation can accomplish the task.

But the social and moral evil already incurred is almost incalculable. For years to come it will tax all the resources of church and state to counteract the results of Mormon rule. And anyone who has witnessed the recent growth of Mormonism, and its extension into new territories, may well hazard a doubt as to whether the problem can be entirely solved during the existence of our present system of immigration.

The present relations of capital and labor constitute a grave problem to every civilized nation. Time was when we were disposed to imagine that we should escape most of the dangers and perplexities that arise from a conflict be-

tween them. But the events of the past few years have made us sadder and wiser. During the sessions of the congressional committee in 1888-9, it will be remembered, careful computations made by Mr. Powderly and other leaders among the working-men indicated that an enormous number of laboring men were living in enforced idleness. A million Americans, many of course men of family, were estimated to be out of employment, seeking work and finding none. And the condition of things is not very much better at the present time.

Mr. Powderly attributed this state of affairs very largely to the competition of foreign immigrants. But the proof of such an assertion did not depend upon his statements. The whole drift of the testimony taken before the committee showed in the clearest man-

ner that multitudes of workingmen were being supplanted in various quarters by the hordes of pauper and contract labor. And this iniquitous and unjust competition has been going on for years, with hardly a voice raised till recently in behalf of our unfortunate countrymen.

And yet workingmen have been in many ways such an object of solicitude to our political economists, philanthropists, and statesmen! During the presidential campaign of 1888, both political parties discussed the tariff with special reference to the physical condition of the workingmen. One party urged the advantage of cheap clothes and cheap markets. The other promised high wages to keep Americans from sharing the fate of the underfed laborer of Europe. Meanwhile both parties studiously ignored the rapid in-

crease on our own soil of the underfed individual in question !

Among the audiences that faced the campaign speakers were hundreds, perhaps thousands, of the "unemployed million !" How the professions of the politicians must have savored of mockery to these men ! To them it was not a question of good clothes or good living, but of work or starvation, of life or death. After listening to the arguments they might bitterly have asked, "Is not the *life* more than *meat*, and the *body* than *raiment* ?"

Meantime the tide shows no signs of ebbing. Though fluctuating at intervals it steadily gathers volume with each successive decade. If it continues to rise, what must be the lot of the laboring classes whose welfare is such an object of concern ? Alas for the mischief that has already

been wrought ! · Dark enough at best appears to be the future of the American working women, many of whom in large cities are already obliged, it seems, to work for wages that barely suffice to keep body and soul together. We look upon slavery as a thing of the past, but does not unrestricted foreign immigration mean virtual slavery to thousands of our countrymen and countrywomen ?

As for the character and intelligence of this swarm of invaders, does it average higher than our own ? It might perhaps be some compensation if we could think so. But it is impossible to take so sanguine a view. To be able to do so would be far from flattering to our self-esteem. The proportion of the undesirable element is too great. So large an infusion of contract and pauper labor is not likely to raise our standard of in-

telligence and morality. Indeed, among certain recent importations, morality seems conspicuously absent. Notwithstanding our experience with polygamy in the West, we are submitting to the introduction of a system of polyandry in the East, practised by races of men who occupy themselves when opportunity offers in rifling and mutilating the bodies of the dead.*

Besides the direct menace to the individual and the state involved in a continuation of our present policy, another consideration is involved. We have already within our borders a fair supply of anar-

* This was written shortly after the Johnstown flood. From some of the dead victims of that disaster jewelry was torn by bands of savage Hun or Bohemian miners. Large numbers of these people were reported to have a regular organized system of polyandry, with five or ten husbands to one wife.

chists, communists, nihilists, and all that ilk. The Pittsburg and Chicago riots made us painfully aware of their presence and numbers. We have been disposed to assume, however, that we should never share the experiences of foreign governments in dealing with these classes. The conditions here were all so different.

But ever since these riots anarchist and communist have continued to come. And much of our pauper and contract labor and criminal immigration affords an excellent field of labor for the enterprising anarchist or communist. Moreover, a million of unemployed, whether native or foreign, constitute of themselves inflammable and dangerous material in any community. The enemies of all law and government are adepts in manipulating such a material. The conditions of society here, in

fact, no longer differ very widely from those abroad, and each year sees an increasing resemblance between them.

In the municipal growth and development of this country, immigration has always played a most important part. Probably no one deems its influence to have been altogether beneficial. Many of our best and worthiest citizens, judging from their recent utterances, are coming to regard it as practically an unmixed evil. A few extracts from the proceedings of a meeting held in New York, in 1889, may serve to illustrate the sentiment which was even then growing. The object of the meeting was to promote evangelizing the masses, and the list of members, clerical and lay, comprised many representative men.

The distinguished chairman stated, by way of introduction,

that the gathering was not sectarian, but Christian and thoroughly American, and of great importance both to the metropolis and to the nation. Men were being forced to recognize the enormous disproportion of foreigners to natives in the large American cities. No such disproportion existed elsewhere in the civilized world.

In London the proportion of foreign population to native was about two per cent. In the city of New York over eighty per cent of the population was of foreign birth or parentage. To this fact the speaker attributed most of the vice, crime, packed primaries, bribery of voters, bossism in politics, and fraudulent and farcical elections. The addresses that followed were very instructive.

It appears that in 1840 the city contained one Protestant church to every 2,000 people ; in 1880, one

to 3,000 ; in 1888, one to 4,000. In some of the uptown wards, where the best showing was made, one church sufficed for 5,000 people, while there was one saloon to 125 people. The total population of the city was about 1,500,000, and the total membership of the Protestant churches only about 100,000.

These figures ought to have a deep significance not only for Christianity, but for the whole people. Any investigation would show, as the reports of the meeting indicate, that vast amounts of money, time, and labor are expended in ministering to the spiritual, social, and physical needs of the masses of the city. And it might be difficult for a candid and competent observer to disparage either the motives or the methods of those who are thus engaged in laboring for humanity. For much of the work is well organized and

also thoroughly earnest and practical. The outlook, however, must be discouraging even to the most ardent philanthropist. Nor is the situation materially improved by including in our estimates the members of the Roman Catholic communion. Statistics show that in the city of New York the proportion of the adherents of Christianity to the total population is constantly and rapidly diminishing. Not only do the churches fail to make headway, they are rapidly falling behind. It is impossible to make much impression on the dense masses of immigrants who are constantly pouring in. The noble aim of the association of churches is to Christianize and to Americanize the foreign element. Under existing circumstances, success in either direction is, humanly speaking, impossible. While one immi-

grant is being transformed into an American and a Christian, a dozen of his compatriots have arrived to claim the same kind offices. It is like an attempt to cleanse the Augean stables.

Such a comparison does not necessarily involve any disparagement of the new-comers. It does not raise the much vexed question as to how many of them are of a desirable class. It might be frankly conceded for the purpose of argument that nine-tenths of them would furnish good material for American citizenship under favorable circumstances.

But human nature is very much the same with every race, and few men could withstand the evil influences that surround the immigrant landing in one of our large cities. A recent writer who took part in the proceedings of the meeting referred to says :

“Few men appreciate the extent to which they are indebted to their surroundings for the strength with which they resist or do or suffer. All this strength the immigrant leaves behind him. He is isolated in a strange land, perhaps doubly so because of a strange speech. . . . A considerable part of our American-born population are apparently under the impression that the ten commandments are not binding west of the Missouri. Is it strange, then, that those who come from other lands, whose old associations are all broken up, and whose reputations are left behind, should sink to a lower moral level? Across the seas they suffer many restraints which are here removed. Better wages afford larger means of self-indulgence. Often the back is not strong enough to bear prosperity, and liberty too often lapses into

license. Our population of foreign extraction is sadly conspicuous in our criminal records. This element, in 1870, formed twenty per cent of the population of New England and furnished seventy-five per cent of the criminals. That is, it was twelve times as much disposed to crime as the native stock."

Yet it appears that these men, whose associations, moral restraints, and religious ties are all broken up, are in numberless instances inaccessible to the influences of either Christianity or philanthropy. They are practically isolated on account of their vast numbers as well as their natural but unfortunate tendency towards aggregation.

Their situation concerns the state in its sphere as vitally as it does Christianity itself. The interests of society imperatively forbid the segregation of multitudes of people

from the influences and restraints of religion. The most pronounced agnostic or skeptic would hardly hold otherwise. And nothing can be more opposed to the spirit and genius of our institutions than the aggregation of masses of foreigners upon our soil. Our policy has always been just the reverse. Every consideration demands the speediest possible assimilation, in their interest as well as our own.

We stand to-day on the threshold of the second century of our national life. In spite of all drawbacks and mistakes boundless opportunities are before us, and the future is largely in our own hands. In Emerson's inspiring words, "We live in a new and exceptional age. America is another name for opportunity. Our whole history appears like a last effort of the Divine Providence in behalf of the human race."

Some of the nation's problems have already been solved. Various others can and must be solved. For, as Mr. Bryce has recently reminded us in *The American Commonwealth*, our government and our legislation frequently fail, but the people so far have been equal to every emergency in their history.

To verify Emerson's prediction, however, to work out our political destiny and develop the highest type of civilization, a radical change in our system of immigration seems absolutely essential. The instincts of self-protection, not to say self-preservation, require such a change. No human institutions can endure indefinitely the strain which our present policy, if persisted in, will inevitably put upon our social and political life.

If we cannot sift the immigration which is pouring in upon us

from every quarter of the globe—
and every effort to do so hitherto
has proved abortive—should not a
sense of duty and responsibility to
ourselves and our children, as well
as to the human race, impel us to
close the doors entirely for a time,
or at least to make the attempt ?

CHAPTER II.

IS IT PRACTICABLE TO REGULATE
IMMIGRATION ? *

IN other words, are not the "expellent influences of Europe," coupled with "the attractive influences of America," too strong for us to resist ? A recent exam-

*First published in the *Overland Monthly*, Feb. 1894. No such thought has been apparent in recent discussion. It is generally assumed that immigration evils will be corrected, and various remedies are proposed. But practical men manifest great distrust of the remedies. During a recent debate in Congress an experienced member of the House declared that the present immigration laws are of no practical use, and that the examination of arriving immigrants was a mere farce. In short, the remedies do not reach the disease.

ination of certain congressional records and official documents suggested the disquieting question. In answer, the appended extracts from that record may or may not appear conclusive, but they certainly warrant the question, which in the light of more than fifty years of experiment—and failure—cannot well be deemed premature. Great as the evils of unrestricted immigration are admitted to be, history has yet to record any real restriction. The various barriers erected at Castle Garden and elsewhere do not seem to have deserved the name. They have had about as great an influence over the rising tide of immigration as that which is commonly ascribed to the familiar domestic utensil of Mrs. Partington when applied to the waves of the Atlantic.

The materials for a history of our foreign immigration are

abundant and accessible, needing only to be compiled and arranged. Indeed the full significance of the subject can hardly be estimated until we realize that it has a history, that the difficulties of to-day are practically the difficulties of twenty years ago, of thirty and of fifty years ago, and that these difficulties and the ultimate peril are foreshadowed in the annals of the eighteenth century.

In tracing the record of immigration it would be convenient to divide the past century into two periods of nearly equal length. The evils of immigration and its perplexities were first recognized about 1838, and since that time frequent attempts have been made to discover a suitable remedy. The half century of national existence prior to 1838 witnessed no efforts to regulate and no practical experience with the problem. It

was a period of theory rather than fact, or rather the period when theory preceded fact.

But this period of theory should not on that account be ignored, as it had no small influence on subsequent events. Tradition ascribes to the earlier part of the nineteenth century, or the close of the eighteenth, the origin of several abstract political maxims which have been thought to indicate our true immigration policy and enable America to fulfil her responsibilities to "the human race." According to one of these maxims, the country was destined for the "asylum of the oppressed." Another, still more sweeping in its scope, made it incumbent upon us to be the "refuge of the nations." In this practical age and period of stern fact, it seems odd that these vague generalities should retain much force or vitality, yet they

are constantly to be encountered in current literature.

The age responsible for them, however, was one of protest and revolt. The colonies of Great Britain had furnished a "refuge" and "asylum" for the victims of religious intolerance and political proscription, and such victims America was always to welcome. But to apply to present conditions the terms referred to seems very absurd. And, as has been apparent in recent discussion, it involves a very plain matter in a hopeless confusion of thought. A condition confronts us, not a vague and irrelevant theory. We are now affording an asylum to the insane, to criminals, and to paupers, instead of to the "oppressed" classes of the old world. The word "refuge" has become equally inappropriate. A paper read before a prominent workingmen's associa-

tion some time ago bore the significant title, "The Refuge of the Nations, or the Refuse—which?"

Perhaps one reason for the perennial recurrence of the phrases in question is the possible association they may have in our minds with the great leaders of 1789, with Jefferson, for instance, or Washington himself. No association of the kind could be more misleading, however, or less warranted by facts. While the supposed views of these statesmen may have had considerable weight, their real ideas, although they have a direct bearing upon immigration, have been entirely overlooked.

It is most unfortunate as well as singular that such is the case. For to our Revolutionary era and its teachings we may turn with especial confidence. The signers of the Declaration and the framers of the Constitution did not confine

their attention solely to the need of their own generation. The nature of their task compelled them to anticipate its results, and gave them an almost prophetic insight into the country's future. And so we find the leaders of 1789 debating many questions that have since come to assume great practical importance ; hence the special value of their writings.

Prominent among the questions referred to was that of immigration, and the views of our ancestors on this subject would surprise a generation accustomed to the extreme liberality of the present system. Indeed it is safe to say that in no respect have we made so wide a departure from the principles and traditions of 1789 as in encouraging and permitting indiscriminate foreign immigration.

Not that the problem had then assumed its present proportions.

A century ago the journey from Europe to America occupied almost as many months as it now requires days, and arrivals were numbered by the hundred instead of by the hundred thousand. But the matter very soon became one of anxiety and apprehension, as the writings of Washington,* Hamilton,† Madison, and others clearly reveal. These statesmen evidently favored a very gradual immigration as best adapted to a rapid and complete assimilation. Nor was such a feeling confined by any means to the conservative members of the Federalist party. On the contrary, Thomas Jefferson, the oracle of modern democracy, believed in careful selection and restriction. That great statesman, in fact,

* Sparks' Life and Letters of Washington, vol. xi, pp. 2, 392.

† Works of Hamilton, published by order of Congress, vol. 7, pp. 774-6.

clearly foresaw and predicted some of the very evils which unrestricted immigration has brought in its train.

Perhaps the best way to point the contrast already alluded to between 1789 and 1893 is by aid of the imagination, picturing to ourselves the effect of certain features of our civilization upon the minds of Washington or Jefferson, had they the opportunity to behold them. Were these statesmen to return and visit some of our large cities at the present time they might have reason to think they stood on foreign soil. They could walk for miles through the French quarter, the German quarter, the Italian, Spanish, Bohemian, or Chinese quarters, where a foreign language is actually of more value than their native tongue. Vast "colonies" of these people would appear before their bewildered

eyes, inevitably taking the color of their surroundings, retarding the progress of assimilation, and complicating in every way the moral, social, and political problems of the surrounding community.

Subsequent to the administrations of Washington and Jefferson a considerable period elapsed before immigration claimed or received much attention. Before the discovery and application of steam it had not assumed much practical importance. Some fifty years ago, however, the interest of the people began to awaken, mindful, perhaps, of the forebodings and warnings of a preceding generation.

The real history of immigration, as already stated, may be said to date from 1838, a period midway between our own time and the close of the revolution, and we have no trustworthy record of the

condition of affairs at an earlier date. But in 1838 Congress began a series of examinations into the abuses of immigration and naturalization, which, renewed from time to time, finally culminated in the labors of the Ford committee of 1888-9. With such a record at our disposal it is easy to ascertain the impressions and experience of those of our predecessors who have attempted to grapple with the problem within the period referred to. It seems to be frequently if not generally assumed that only of late years has any considerable portion of our immigration been a positive injury or even a doubtful benefit to the country. Unfortunately facts and figures disclose too plainly the fallacy of such an assumption. A few brief extracts from the first report on the subject will serve to disclose the condition that prevailed more than

fifty years ago, and this report may be taken as a type of its class. It bears, in fact, a strong resemblance to those of a subsequent date, so that only brief portions of the latter need be quoted.

On July 2, 1838, there was submitted to the House the result of the researches of a select committee of that body, prefaced by the following remarks: "To enable the committee to obtain all the information which was accessible the following interrogatories (among others) were propounded to the mayors of the respective cities of New York, Boston, Philadelphia, Charleston, and New Orleans: . . . What proportion of the immigrants bring with them the means of subsisting themselves and families? What proportion are paupers? What proportion of the inmates of poorhouses and penitentiaries are natives?"

From the replies to these and similar questions the committee state: "It is estimated that more than one-half the pauper population, and that the most helpless and dependent, are foreign." The proportion of foreign to native population in the whole country at that time was less than five per cent, but of course this estimate does not apply to the urban population, where, then as now, the foreign element predominated, comprising, however, not more than fifteen per cent of the inhabitants. "In 1838 there were in the almshouse at Philadelphia 1505 Americans and 1266 foreigners; in that at Boston 596 Americans and 673 foreigners. On the twelfth of June, 1837, there were in the almshouse in the city of New York 3074, of which number three-fourths were foreigners, and of 1200 admitted at Bellevue 983 were

aliens ;" while in 1838, "by the report of the resident physician, it appears that of 1209 admitted to his department, only 206 were born in America. In the year ending in August, 1836, there were received into the Boston house of refuge 866 paupers, 516 of whom were foreign. . . . At a recent date it appears that the number of convicts confined at Sing Sing, New York, was 800, of whom 603 were foreigners." A prominent official of New York, who was designated by the mayor to make a report to the commissioners, stated that of the entire number entering the port of New York for the first part of 1838, two-thirds "were without any occupation or even the pretense of one."

During the first three quarters of 1838 no less than 38,057 aliens "who had no occupation" (a very large proportion of the whole

number) "were cast upon the citizens of New York." To the question, How is the expense of the transportation hither of such as are poor defrayed? the answer is, "It is impossible for us to ascertain what number are actually forced or hired to leave their own country, but the superintendent states to me that he has seen one of the passenger ships filled with paupers alone. When entire cargoes have come out it has been ascertained that the parishes have paid their expenses. An English gentleman recently stated that he had seen the poor marched down in droves from the poorhouses to the ships. It is stated on authority that the passages of more than 30,000 persons have been paid in England, Ireland, and Scotland, to enable them to leave there for America."

From the foregoing citations one

is driven to infer that at the period of the first inquiry a large proportion of the immigration was of a highly undesirable class, and that the general prospect was far from pleasing. But despite the agitation which followed and the attempts that were made to improve matters, the lapse of a very few years found similar conditions prevailing. During the session of the twenty-eighth Congress a resolution was introduced in the Senate directing the Judiciary Committee to inquire into the expediency of immediately modifying the naturalization laws to prevent the recurrence of the gross and extensive frauds upon the ballot-box that had recently been perpetrated, and to prohibit the further introduction of paupers and convicts into the United States. Some of the speeches made on this occasion indicate the unmistakable need of

the proposed action. This took place in 1845. In the following year resolutions of a similar purport passed by the Massachusetts legislature were introduced in the House by Hon. Robert C. Winthrop, which led to a protracted and at times heated debate.

Some ten years later the discussion was reopened, and while differences of opinion were manifest as to the proposed methods of securing relief, the existing abuses were freely admitted and a voluminous report was submitted on the evils of foreign immigration, and recommending changes in the naturalization laws. Once more, in 1869 and 1870, the question came up, and Senators Davis, Frelinghuysen, Bayard, Thurman, and others took part in the ensuing debate. Finally we had the investigation of 1888-9. Its revelations are too fresh in the

public mind to need more than a passing allusion. But anyone who may feel disposed to refresh his recollection or comprehend the serious nature of the present outlook will find interesting information in the report furnished by his Representative to Congress on the importation of contract labor.

As has been already intimated, the most casual acquaintance with the records suffices to disabuse the mind of an impression that only recent immigration has been deleterious in its nature. The statistics to the contrary are too clear and circumstantial. For a long time past very many of the immigrants to this land have been unwelcome, unwholesome, undesirable additions to its population. Serious and disturbing, however, as such a conviction must be, there is another consideration involved of vastly greater consequence and

importance. A noticeable monotony pervades the history of immigration. The earliest and latest reports evince a strong, one might say an ominous similarity. In 1838 we had paupers and "assisted" immigrants ; more recently it has been paupers and "contract laborers"—a choice of evils truly !

The real significance of a comparison, therefore, and the real gravity of the problem consist in the fact that *the situation has continued virtually unchanged*, so far, at least, as any efforts on our part are concerned. And whatever changes have occurred in the character and volume of immigration from time to time have been for the worse and not for the better. A steady increase in quantity has attended a perceptible deterioration in quality. The committee of 1838 were justified in stating that their report "presented a combination of

facts that cannot fail to arrest the attention of the American people and to establish the necessity of immediate legislative action." "Legislative action" was taken repeatedly then and at subsequent times. But so partial and temporary has been the relief afforded that the committee of 1888-9 found the condition of affairs to be about the worst in our history.

What has been accomplished since that report? Measures designed to afford some relief were passed by Congress during the session of 1891, although without adequate appropriations to enforce them, and various individuals have been debarred from landing. But by this time we are well aware that the undesirable classes are not numbered by units or tens, but by hundreds and by thousands. Will further legislation reach the latter? No question can have a

more direct and immediate bearing on American civilization.

The law lately passed (March, 1893) is open to very serious objections. Some of its provisions have been tried and found wanting. When the bill in its present form came up for passage in the House all the remarks made, with but a single exception, indicated lack of confidence in the proposed remedy. One speaker lamented that the bill went so short a distance in the direction it professed to go. Another member, thoroughly familiar with the subject, said, in summing up the defects of the bill, that it was not worth passing. But even were adequate laws passed, the question of vital import to the country is, whether such laws will be enforced and made effective.* Many stringent

* Some of the bills before the present Congress (1896) are much in advance of those of

regulations appear in the annals of immigration, but no radical or permanent reform has ever been effected. Agitation, legislation, superficial and temporary improvement, recurrence of the evil when public attention is diverted, about describe the situation.

Perhaps the exclusion of the Chinese may be instanced as one exception in the long list of failures to regulate immigration. Chinese exclusion is somewhat of a misnomer, as the constant arrivals from Mexico and British Columbia plainly bear witness. That the entrance of the Chinese has been greatly checked, however, may freely be conceded. Restrictive laws were framed at last that seem to have met the test of constitutionality. But it required

the last one. But whether they will become laws and whether they be rigidly enforced is another question.

(1) a struggle of years on the part of a whole section of the country that was (2) practically a unit on the Chinese question. And then (3) the Chinamen had no vote.

No treatment of the subject would be complete without at least a passing reference to the published report of the special Treasury commissioners who were detailed to investigate abroad the mysterious influences that underlie the present criminal and pauper immigration from Europe. The same papers that published some time ago outlines of this report contained also accounts of the united efforts of press and pulpit in New York City to reform and purify the social and political atmosphere. Much stress is laid in the commissioners' report upon the organized system and combination to transport beg-

gars, criminals, and imbeciles to this country, in which foreign officials are largely implicated. This, however, is no new thing. The "*friendly*" governments of Europe have engaged for years in this work, and are responsible in no small degree for the social condition of our large cities, although when these social conditions precipitate an outbreak like that at New Orleans, the same governments manifest much surprise as well as horror at the occurrence.

This commissioners' report does not contain any especially novel features, though it indicates the persistence and deep-rooted nature of the evil. It is referred to here because in the columns of the press it stood in such striking antithesis to the accounts of the union of press and pulpit to promote municipal reform. In an article pub-

lished three or four years * ago the writer endeavored to show that many of the greatest industrial and social problems of our generation—intemperance, Mormonism, etc.—are traceable largely, in some cases almost entirely, to unrestricted immigration. The past and present character of that immigration, revealed in the official record and in this latest report, shows too plainly why its influence on intemperance, polygamy, the relations of capital and labor, has been so profound and so pernicious, to say nothing of the more obvious effects upon pauperism, insanity, and crime.

And the injury will continue and increase until the character of our immigration is *radically* changed. The municipal reform of our large cities, in particular,

* The article is reprinted as chapter I of the present work.

recently advocated so earnestly, cannot make much headway while thousands of criminals, paupers, and contract or unskilled laborers continue to pour in. As was suggested in the former article referred to, the undertaking of various proposed municipal reforms, without reckoning with the chief cause of the trouble, resembles an attempt to cleanse the stables of Augeas, with the difference, it may be added, that while the stables were cleaned by turning on the stream, our cities may be cleaned when it is turned off.

Is it practicable to regulate immigration, and if so, why have we thus far failed ?

CHAPTER III.

IMMIGRATION AND THE RISE OF THE A. P. A.*

THE late Matthew Arnold, certainly no partial critic, was once pleased to say, that in political affairs, as a rule, we Americans possessed the faculty of "thinking clear and seeing straight." If there has been any exception to this rule—from the tendency of a certain school of thought to obliquity of mental vision—the subject of this paper will suggest the exception.

* This chapter might also be entitled "Why we Fail to Regulate Immigration," in answer to the question of last chapter: "Why have we thus far failed?"

Not that the question of immigration, broadly considered, is necessarily intricate. In complexity it does not compare with the tariff, nor, in perplexity, to the average male mind, with the "woman question" and the attitude of some of its exponents. But much has been said and written having a direct tendency to confuse the real issue. Of this tendency recent discussion affords abundant illustration.

Those vague abstractions, for example, which refer to America as the "refuge of the nations," "the asylum of the oppressed," etc., enjoy a charmed life. It seems vain to point out that such venerable maxims apply to conditions that have wholly passed away. To invoke them now is to try to transform a question of statesmanship into one of sentiment. But even on sentimental

grounds they are singularly unsuited to present conditions. When earnest and sincere philanthropists urge the claims of the immigrant to hospitality and charity, they do so oftentimes at the expense of those having prior and much stronger claims—that is, if charity is to begin at home. They plead, these philanthropists, that immigration is a law of nature, not pausing to reflect that self-preservation is the first of nature's laws.

The persistent treatment of immigration as simply or chiefly an economic factor in our civilization, is likewise to be noted. It is only now coming to be recognized as primarily a political and social question having intimate relations not only with pauperism, anarchy, crime, etc., but with Mormonism, the social evil, intemperance, labor agitation, municipal evils, ecclesiastical misconceptions, etc., etc.

Perhaps we may ultimately come to feel that immigration is the problem of problems, concerning nearly all of these other questions generally, many closely, not a few vitally.

Attention has also been drawn recently to the fact that no permanent reform of immigration is on record, a fact which indicates that its practical difficulty has been and still is greatly underestimated and that the teachings of history have been forgotten. Extracts from the official records recently cited * show how attempted reforms have failed, and how in spite of them all a constant *increase* in the quantity of immigration has kept pace with a constant *decrease* in the quality.

* In an article entitled, "Is it Practicable to Regulate Immigration?" in the *Overland Monthly* for February, 1894. See Chapter II, *ante*, p. 46.

For years of effort to regulate immigration to end in virtual failure is a very serious fact. The fact is here referred to, however, not because of its gravity, but because this failure, or rather series of failures, naturally suggests the question, whether regulation is possible by *any ordinary methods*, or by methods that have hitherto proved so inadequate, and whether, in assuming the contrary, *there is no liability of further error*. What gives so much interest to the question at this juncture is the rise and sudden growth of that singular order, which is attracting attention on all sides and evoking such varied comment, the American Protective Association.

This Association may or may not have an answer to the inquiry, whether regulation is possible by ordinary methods, and on this point the writer, not being a mem-

ber of the order, cannot speak with certainty. But it is fair to presume that it has a negative answer, that its very existence is an assumption that ordinary measures will not suffice, and that extraordinary ones are essential. Whether all the objects of this and similar associations are commendable, all their methods legitimate, is nothing to the present purpose. The special significance of the movement consists in the evident belief of a large number of people that real reform is impossible under existing conditions without *some* form of organization. Let us see if this belief is not well founded.

The conditions which have thwarted all previous efforts to stem the tide of immigration, or to control it, seem to be partly political, partly social. It is of course impossible to enlarge upon

them or treat them separately. To do so would involve considering, among other things, our extraordinary naturalization laws and their influence on immigration. But, roughly speaking, the effects of both political and social conditions are readily traceable, working together among the various forces arrayed for or against reform. The strength of the opposition is better appreciated if the numerical superiority of the reformers is taken into account. On the side of reform is doubtless ranged a large majority of the American people, who favor a change, and their sentiment is growing more and more outspoken.

For it is becoming keenly felt that the pressure of population into our chief cities, so largely due to immigration, is driving masses of people into the most abject

poverty, the borderland of beggary and crime. In many sections East and West a blight has fallen on the mining regions, lower and lower strata of humanity taking the places of higher ones, a signal instance of the survival of the unfittest, according to our notions of government and social welfare. And some of the mining riots and outbreaks of the past three years in various parts of the land have brought to the surface wondrous types of savagery.

All this is felt to be wholly wrong. It runs directly counter to the instincts of the race—those practical instincts which so impressed Matthew Arnold. In importing horses, cattle, and even poultry, we legislate to some effect, sparing no pains to strengthen and improve the native breeds. Why should we deal so differently with the breed on which the future

hangs? Why weaken or contaminate the breed of men?

Discontent with the existing order of things is by no means confined to the members of the A. P. A.* But unhappily the general

* The platform of the Republican party in California, adopted at Sacramento, June 20, 1894, contains these provisions among its planks: "The public schools should be non-sectarian in their character and conduct. We are opposed to any division of the school money for any purpose or to any sect." "We are in favor of amending our naturalization laws so that no one can become a citizen who is not of good repute," etc. "We recognize that the present naturalization laws are weak in their provisions and defective in their administration, and should be changed by appropriate legislation so as to place additional and better safeguards around American citizenship. We believe the time has come when the nation must take a firm and decided stand against the incursion of the underpaid and ignorant laborers of the old world that are flocking here now in such numbers as to drive the American laborer from his work, with the increasing result, as seen at the present

sentiment in favor of a change is or has been *unorganized*; and furthermore, the majority of the reform element have *no direct personal or pecuniary interest* at stake. On the contrary, the corporations, syndicates, trusts, and other forces working against reform are in many cases organized, and have pecuniary interests of great magnitude at stake. The great lines of transportation, both to and through this country, are totally indifferent to the *quality* of their human freight. With them it is solely a question of quantity, so long as they keep within the letter of the law and do not have to support or deport their passengers.

time, of causing disturbances in the manufacturing centres of the country, reducing the price of labor," etc. "We demand the enactment and strict enforcement of such laws as will absolutely and effectually prohibit the immigration of all labor, both skilled and unskilled,

As to the multitude of steamship or immigration society agents whom a recent Congressional committee unearthed in Europe, these gentry actually prefer a poor quality of immigration. For, of course, the lower the object of their solicitation is in the scale of intelligence, the easier it is to hoodwink and cozen him, or at least inveigle him into buying a ticket. The pressure of the times just now interferes with this business, but if past experience be a guide, we may expect other committees to find the agents at work again, industriously plying their avocation in every quarter of Europe.

In the same class with the agents are the "padrones" and bosses of the large cities. A self-respecting, intelligent, or independent immigrant is just the man they do not want. Anything that will pass for a man and be speedily

convertible into a voter is much to be preferred. From his helplessness tribute is easily levied, and once a voter he becomes part of the foreign machine vote, raising his master, the padrone, to a full-fledged boss.

The character and strength of the opposition to a change of the present system is not, cannot be, realized by the people. If it were, there would be fewer suggestions of reform based on legislation alone. We know something of the difficulty of effecting any reform, even when it is demanded by public opinion and a dominant political party as well, when pitted against great aggregations of wealth. Many a reform has been worsted in the encounter. Recent congressional proceedings furnish at least one striking illustration.*

* When these words were written the failure of Congress to enact radical tariff

How then can we expect that immigration reform, favored by public opinion only, will achieve any great or lasting victory in the halls of national legislation? Only one side of the question will be ably presented to Congress, the side of the transportation and manufacturing companies that wish unlimited immigration or cheap labor—the side also of the agent, the padrone, and the municipal boss, whose machine, were immigration to cease for a time, would surely become unmanageable.

When occasion calls, representatives of these interests appear before congressional committees, as they have a constitutional right to do. They seize the opportunity

reform, though elected for that express purpose, had just occurred. Public sentiment seems to have since changed, but it was none the less disobeyed by the last Congress.

to point out through the ablest agents and counsel the defects of this proposed measure, the hardships of that; and they descant on the great exaggeration of immigration abuses.* But who is at hand to speak for the people at large, or to plead the grave economic, political, social, moral, and patriotic objections to the present system?

For this question is pre-eminently patriotic, and it affects the whole nation. It is sometimes assumed that a republic is better fitted to

* And the difficulty of enforcing stringent laws seem even greater than the difficulty of passing them. In every Congressional debate allusion is made to the laws which remain dead letters. And every investigation, like that of the Knights of Labor two or three years ago, points to the same conclusion. On every ship and at every port there are many whose pecuniary interests are to evade restrictions and smooth the landing of the unfit, and none at hand whose interests are to oppose them.

absorb and assimilate heterogeneous elements of population than a monarchy or an empire. But the important point is not so much what can be absorbed, as what the result of the absorption will be. In the long run a republic is more nearly affected by the character of its population than any other form of government, for the reason that it is or aims to be a government of and by, as well as for, the people. Consequently its character depends as much on the character of the people as the character of the people can possibly depend on a republican form of government. To few if any other nations can it be so important to have the right material for citizenship as it is to the United States. And every immigrant steamer landing at our docks to-day, as for years past, tends to lower our standards of intelligence, industry, and moral-

ity. To hold otherwise, in view of the character of immigration as disclosed by the records, would not be flattering to self-esteem.

In view of the moral principle underlying the whole matter, the mill-owner of New England, the manufacturer of Pennsylvania, or the mine-owner of the West who will not scruple to import a swarm of ignorant, degraded, and perhaps utterly vicious human beings into any community can be no real lover of his race or country. Pauper, contract, coolie, low-grade, or even indiscriminate immigration ought to have no place on our soil ; certainly no American should aid, abet, or connive at it. It is a contest of mammonism against philanthropy and patriotism, analogous in that respect to the slavery issue as viewed from the Northern standpoint. Whoever imports labor to pauperize or supplant his

own countrymen by birth or adoption, or who brings an element into any community without regard to its grade of intelligence and civilization, does the greatest wrong, not merely to the community immediately concerned, but to the whole people.

Nor is there any undoing of the mischief. When defective armor is placed on a vessel built for national defense and honor, it can be removed on detection. That great wrong is at least remediable. But the dangerous classes can never be removed. They must stay and spread and multiply in the country of their adoption.

So far as the American Protective Association is concerned, it must in justice be credited with standing for rigid laws of immigration and a strict enforcement of them, and this applies to other kindred or somewhat similar or-

ders. As much may not be said of any of the great political parties. They cannot "point with pride" to their immigration records. And it is safe to say that, left to themselves, they never will be able to. History negatives the hope, and so do the conditions. Reasoning inductively, therefore, or deductively, we reach the same conclusion. Some compact organization of sufficient strength and fixity of purpose to mould public opinion, to shape legislation, and to help enforce it, seems essential.

But a great many people who might accept this reasoning will perhaps be inclined to eye askance these reform organizations on account of their alleged bigotry, intolerance, etc. It is urged that the remedy is worse than the disease, and that the A. P. A. is merely a disguised form of Know-Nothingism. Here we touch de-

batable ground. This, in fact, is a vital point in the present dispute, but so much controversy hinges on it that a passing reference might not seem out of place, even if it involve a slight digression.

In the first place, it is pertinent to point out that Know-Nothingism is a very elastic term. It is applied in reproach to those whose views on immigration, naturalization, etc., are fanatic, and whose methods of enforcing them are proscriptive. As one result of the reaction against the extreme opinions of the old Know-Nothing party, every speaker or writer who drew attention to abuses of naturalization, immigration, or the public-school system assumed an apologetic attitude. He feared to be called a Know-Nothing. Recent agitation, however, has brought about a change. Very plain language can now be used without

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feated reformers. The old Know-Nothing movement was indeed a failure, but has it been a more conspicuous failure than our subsequent policy of immigration ?

CHAPTER IV.

OUR UNNATURAL LAWS OF NATURALIZATION.

SOME years ago a flagrant evasion of the law forbidding importation of contract labor was drawn to the writer's attention. That law had been in force for several years, and the press was daily exposing the abuses of immigration. It was at the height of this agitation that a Northwestern railway happened to need additional labor to extend the lines of its system. The manager of a line of European steamers was interviewed in the interest of the road, and a proposal was made for the transport of foreign workmen under contract. The rates asked, however, were a

little too high, being, it is said, eight dollars per head. But the rate was afterwards adjusted with a rival line, and fourteen thousand peasants of sunny Italy were shipped to the Western prairies.

In the third year after this coup, the important fall elections of 1890 were held. Returns from Montana were delayed. So closely divided between the two old parties did the United States Senate appear, that Montana was thought to hold the balance of power, and the result of her vote was awaited with the gravest interest. After quite an interval the expectant country learned the cause of the delay. The vote of the state depended on the result in certain precincts of Silver Bow district. In that locality, according to the dispatches, not one of the voters could read or write, and wholesale fraud had reigned—though under the cir-

cumstances this latter piece of information might be deemed somewhat gratuitous.

The foregoing incident made such a stir at the time as to merit fuller details than those supplied by the Associated Press. It would have been gratifying to know some things about those illiterate voters, their nationality, for instance, and how long they had been domiciled among us. Were they of the fourteen thousand Italians landed in 1888, and, in 1890, shaping the destiny of the republic ; socially, serfs in all but the name ; politically, American sovereigns ?

But whether they hailed from Italy, Hungary, Slavonia, or elsewhere does not affect the principle involved. Owing to the lax enforcement of the law in some states, and in many others to the reckless shortening of the time of probation, bands of European peasantry, land-

ing to-day and remaining for many years as ignorant of our language and institutions as of the meaning of self-government, may yet decide the vote of a pivotal state in a presidential year or determine the political complexion of Congress, and all this within two or three years of their landing. The Montana case is not exceptional, but typical on account of the volume and character of immigration—restrained of late by economic, *not* legislative barriers—and of the unbounded liberality with which we bestow the elective franchise.

So far as immigration is concerned, and its persistent abuses, our experience with contract labor is a striking illustration. That particular form of the evil was singled out as the object of special legislation. Men of all parties and the most opposite views have condemned it. Yet what has been

accomplished in the way of reform ? The contract labor laws date from 1882 and 1885, yet as late as the summer of 1894 the hapless condition of the contract laborer provoked a great indignation meeting in Boston. In May, 1893, in a report to the Treasury Department on this same class of labor, the Immigration Inspector made use of the following vigorous language: "The padrone system is the most outrageous and injurious to American workingmen of any system that ever was practised in the United States. And there is no denying the fact that it exists in almost every city in this country where there is an Italian colony." In this report is a description of the way in which laborers are coached on shipboard and so prepared on landing to baffle our inspectors by judicious perjury. Just at present, it seems, the railroad contract-

ors do not require as close watching as "bankers and padrones," "who between them supply laborers in hundreds to work on our railroads to the exclusion of American workmen."

With regard to the exclusion of various other undesirable classes, the laws passed in response to the popular agitation of the past eight years have been fitly characterized on the floors of Congress as falling so far short of the mark as to be of very little value. And this outcome in the light of history should not be surprising. From a recent article reviewing experimental legislation of more than half a century, a chronicle of failure is unfolded by which it appears that despite all barriers the immigration tide has steadily increased in quantity and decreased in quality.*

* "Is it Practicable to Regulate Immigration?" ending with the question,

As to the naturalizing process, for an illustration only too familiar, witness the scenes in our large cities on the eve of an important election. Under the stress of party competition the machinery of the courts is quickened to the utmost extent, and turns out new citizens by thousands after the most perfunctory examination. And in the heat of a campaign the press often applauds this menace to civilization. The author of "The American Commonwealth," reputed a most

"Why have we thus far failed?" *Overland Monthly*, February, 1894; Chapter II, *ante*. Nobody has ever tried to answer this question, but is not a prime cause of the failure traceable to the fact, as set forth in Chapter II, that the general sentiment in favor of reform is comparatively *unorganized and has no direct personal or pecuniary interest at stake*, while the great corporations, syndicates, trusts, and other forces arrayed against reform are organized, and have pecuniary interests of great magnitude at stake?

competent as well as friendly authority, remarks :

“The immigrants vote after three or four years’ residence at most, and often less, but they are not fit for the suffrage. They know nothing of the institutions of the country, of its statesmen, of its political issues. . . . Incompetent to give an intelligent vote, but soon finding that their vote has a value, they fall into the hands of party organizations whose officers enroll them in the lists and undertake to fetch them to the polls. I was taken to watch the process of admitting to citizenship in New York. Drove of squalid men who looked as if they had just emerged from an emigrant ship, and had perhaps only done so a few weeks before, for the law prescribing a certain term of residence is frequently violated, were brought up to the magistrate by the ward agent of

the party which had captured them, declared their allegiance to the United States, and were forthwith placed on the roll. Such a sacrifice of common sense to abstract principles has seldom been made by any country. Nobody pretends that such persons are fit for civic duty or will be dangerous if kept for a time in pupilage, but neither party will incur the odium of proposing to exclude them.”*

* A prominent senator of the United States is of record in Congress as saying: “Of two portentous perils that threaten the safety, if they do not endanger the existence of the republic, one is ignorant, debased, degraded suffrage, suffrage contaminated by the sewerage of foreign nations.” Within the last two years the same statesman has publicly declared: “Many of our economic and social difficulties arise from the presence of undesirable elements among our people that should have been excluded. The bulk of our anarchists, socialists, and malcontents,” etc., “are foreigners who should have remained at home. And yet such is

What a spectacle these scenes in New York, what an object-lesson to the native-born voter attaining manhood! Why preach to him so constantly the duty of citizenship, why extol the dignity and privilege of American suffrage, when he can see in any large city that suffrage so unutterably cheapened and degraded, and oftentimes thrust upon the very dregs of society? The contrast between our theory and our practice is entirely too glaring.

But on this topic far more telling than any personal opinion may be the words of the men transformed so summarily into Amer-

the pusillanimity of our politics that, notwithstanding the admitted dangers of unrestricted immigration, all parties forbear to deal with the question and shrink from radical and drastic measures for fear of the foreign vote. That makes cowards of us all!" If this applies to immigration, it of course holds equally good of naturalization.

ican voters. At the time of the Mafia tragedy in New Orleans, *L'Elvezia*, a Swiss-Italian paper in a large Western city, contained the following striking indictment of the naturalization laws. After alluding to the general outcry of Italians in this country as perfectly natural, it is pointed out, as a singular feature in the case, "that persons who had voluntarily adopted American citizenship have brought themselves forward to ask the intervention of the government they had renounced against the people and the authority of the country of their adoption." This raises the question, "whether it would not be proper for the United States to modify its laws of naturalization." This question is answered in this wise :

"For our part, we do not hesitate to declare emphatically that they ought to be modified. Any-

one who examines even superficially the mode in which naturalization takes place, easily convinces himself that the great majority of those who acquire American citizenship do not comprehend the gravity of the act they accomplish. At the moment of their arrival in the United States the immigrants are taken in hand by professional politicians who persuade them that it is to their greatest interest to make themselves citizens. Very many of the new arrivals are illiterate people who come direct from their villages in Europe, who know nothing of the customs, nor of the laws, nor of the institutions of this country, and who in perfect good faith believe all that persons interested in the creating of voters tell them. And so they become citizens.

“Well now, tell these persons that with the declaration they have

made they have renounced their own government and belong no longer to the land of their birth, and they will laugh in your face. They have never intended to renounce their native country, and they never will do so. But how they can reconcile the contradiction of being at the same time citizens of two nations, God alone may be able to divine. Naturally there are those who become American citizens comprehending perfectly the nature of the step,"—enumerating various classes. But "these are the great minority. We intend to speak of the others. These are not and cannot become good American citizens. Interrogate them and you will find that all, if they succeed in obtaining a modest competency, intend to return to their natal land. Speak to them in the language of the land of their adoption and they will

stammer unintelligible words. Seek to discover whether they know anything of the institutions of the United States, and, even though they may have remained here for five, ten, or twenty years, they will show themselves ignorant of the most elementary things. Political aspirations they cannot have, because they are illiterate. What kind of citizens can they be? For the most part they are honest people; they are excellent workers; they obey the laws; but as citizens they are simple tools in the hands of those who establish their influence over them to obtain their votes.

“This is sufficient to demonstrate that a law that admits such a class of citizens needs to be amended. It is not only five years’ residence that we should like to see required, but ten, if not a greater number, and further-

more upon the express condition that the aspirant should know how to read and write, and should know the fundamental principles upon which is based the political edifice of the country he intends to adopt. This is not a question that relates to one nationality rather than another. It regards all immigrants, and if *L'Elvezia* shall have been able to throw any light upon it, contributing even in the slightest manner to bring about a remedy for a state of affairs so abnormal as not to be found in any other nation, it will feel that it has performed something not entirely useless for this country."

The foregoing extract was translated into English and published in a leading paper of the Pacific coast, which added, editorially, that its words might well put to shame some of our native-born politicians. The editorial com-

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ment of this latter paper is also quoted, because, as a pronounced partisan organ, it is not likely to magnify naturalization abuses, while its outspoken arraignment of the law foreshadows a change in public sentiment that gives the best promise of reform :

“We recently called attention to the insufficiency of a five-year probation to give the present immigration a sense of American nationality, or remove from the immigrants their feeling of loyalty to and dependence upon the flag they have renounced. Our views startled the timid, who are afraid of votes for the sake of office and power, but we struck a responsive chord in the hearts of all true American citizens, native and alien born. It is strange that the cowards and time-servers fail to understand that every immigrant who came here from proper mo-

tives agrees that indiscriminate immigration, with no intelligent conception of the dignities of citizenship in a free country, is the surest means of destroying liberty, ruining its institutions, and degrading the nation that was intended to be the theatre on which the greatest free society on earth should perpetually exploit its genius and uphold the rights of man. The American may take lessons from many an old immigrant who came to seek freedom as more precious than bread. The time has come to make more difficult the road to American citizenship. That citizenship cost lives and fortunes. It was wrought out in battle, colored with the blood of patriots, and fashioned by hands that were hardened by the use of the sword drawn in combat for human rights. Yet this prize so hard-won is bestowed upon men

who did not earn it, and who do not appreciate it, with no more ceremony than is lavished on taking a glass of wine. The ceremony of naturalization should be so impressive and the approach to it so difficult that the man who comes as a candidate for this gift we offer to him will feel as if he were being born again. We print from an Italian paper an editorial on this subject which may well put many a native politician to shame. We commend its calm reasoning and indisputable statement of facts to the timid and cowardly who are afraid to discuss naturalization reform. No other nation, free or not, squanders its privileges as does ours. They are nowhere else bestowed upon those who don't ask for them as they are here, and nowhere else are they permitted to those unfit for them as they are here."

From widely different quarters have the foregoing selections been presented, and in view of their source the opinions expressed cannot be termed radical or extreme. In fact, exaggeration would be difficult. From change of conditions our naturalization laws have become an absurdity and an enormity. And the first and best hope of reform lies in realizing the imperative need of it. Obviously this topic, if it is to be discussed at all, cannot be fingered delicately, after the manner of politicians on the eve of election. On the contrary, it must be taken out of and above the plane of "practical politics," and one feature of the law should make that removal its object.

The theory upon which the naturalization laws are based was well suited to the condition of affairs in this country, A. D.

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1802. That is the date of the law prescribing five years' residence for the alien who would be a voter. At that time not only was the character of immigration much higher than now, but its volume was comparatively insignificant. We had no large cities, no bosses, no colonies, and no process by which the immigrant could be kept from any Americanizing influence. Taken as a unit into the current of political and social life, he ceased to be a foreigner in five years, and a "foreign vote" was unheard of. In short, the naturalization laws of 1802 were originally as wise as they were liberal, a proof of the political genius of their day and generation.

To-day those same laws are not only an anachronism, but a source of great and growing peril. At

least ten years after his landing should expire before the present immigrant can be entitled to the ballot, for legislation must always be for masses, not for individuals. As things now are, however, there is no uniformity in the law, and five years is the *maximum* limit of restriction. A great many states actually lessen this scant period of probation. This is accomplished by state legislation providing that all persons who are citizens of the United States *or have declared their intention to become citizens*, may vote at all elections after the brief residence set forth in the following table.

So far as the declaration of intention is concerned, Section 2165, United States Revised Statutes, the law of the case, prescribes a five years' residence for citizen-

ship, and that the applicant shall declare on oath before a court of record "two years prior to his admission that it is *bona fide* his intention to become a citizen." "Two years at least prior to his admission," is decidedly elastic. It may equally well be three, four, or five years prior to admission. In fact, there is no reason why an immigrant should not declare his intention the day he lands, or the day he reaches any of the following list of states, or why he should not make the declaration at any time during the brief period of residence that the laws of these states have enacted. Consequently, the alien in such states is entitled to the full privileges of citizenship at the end of the times respectively indicated below :

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STATES GIVING POWER TO VOTE IN ONE YEAR OR LESS.*

—	Qualification of Voters.	RESIDENCE.		
		State.	County.	Precinct.
Alabama ..	Declaration of Intention..	1 year.	8 mos.	30 days.
Arkansas..	" " ..	1 " ..	6 " ..	30 " ..
Colorado...	" " ..	6 mos.	90 days.	10 " ..
Florida....	" " ..	1 year.	6 mos.	.....
Indiana	" " ..	6 mos.†	.....	30 days.
Kansas....	" " ..	6 mos.	.....	30 " ..
Louisiana..	" " ..	1 year.	6 mos.	30 " ..
Minnesota..	" " ..	4 mos.†	10 days.	10 " ..
Missouri...	" " ..	1 year.	60 " ..	.....
Nebraska ..	" " ..	6 mos.	40 " ..	10 days.
N. Dakota ..	" " ..	1 year.	6 mos.	90 " ..
Oregon....	" " ..	6 mos.†	.....	.....
S. Dakota..	" " ..	6 mos.	6 mos.	30 days.
Texas.....	" " ..	1 year.	6 " ..	.....
Wisconsin..	" " ..	1 " ..	.....	10 days.
Wyoming .	" " ..	1 " ‡	30 days.	.....

The time of residence in the foregoing states is, of course, grossly inadequate. It is well adapted to bring the law into contempt. As for allowing aliens to

* Compiled from the "Economist and Statistician" for 1895-6, with two or three minor corrections.

† One year's residence in the United States is likewise required.

‡ In the State of Wyoming this provision only remains operative 5 years.

vote within six months of their arrival, why not arrange to hand certificates of naturalization to them on entering the state or even at the Atlantic seaboard, to take effect on entering the state? Such a method would be a *little* more expeditious than the one now in vogue and not much more indefensible.

Besides requiring a residence of at least ten years before conferring the right to vote, the law should prohibit naturalization within one year of any election, even if this provision had the effect of extending the ten-year period of restriction.

The advantage of such a provision is obvious. The voting "mills," which under the present law are run under full pressure almost up to the election, would proceed in a more deliberate and far more orderly manner. Temp-

tation to wholesale and indiscriminate admission would be decidedly less. And though party agents and managers might not be entirely free from such temptation they would feel the wholesome restraint of public opinion. This potent influence is of course relaxed during the stress and turmoil of a heated campaign, but once it resumes its sway our feelings of patriotism so far outweigh those of mere partisanship that the court scenes which mark the close of a great political contest would not be tolerated a year before the election.

Another indispensable safeguard to a pure and intelligent ballot is a requirement that every voter should be able to read and write the language of his adopted country. This is a moot point, but the general drift of recent discussion inclines to such a limited educa-

tional test ; one that is in complete accord with our theory of government, and has been adopted in several states. The wide extension of the Australian ballot, itself a test of illiteracy, in face of strong opposition, shows the trend of reaction from the idea of universal suffrage, so-called.*

* It may be interesting to compare a recent expression on this subject of an educational requirement for the suffrage with one recorded many years ago, but both from a democratic source.

“This organization has always been and is now ready to co-operate in the enactment of any law which will reduce the expenses of elections and promote the purity of the ballot, but it is unalterably opposed to any legislation which, under the specious pretext of reform, seeks to impose any qualification on suffrages, either of property or of education. . . . We pledge our hearty support to any bill which will provide for the isolation of the voter while preparing his ballot . . . but we protest against any change in our electoral system which would disfranchise a single honest man by discour-

There are various defects in the present statute, by which fraud and deception are practised. Although one section provides that a declaration of intention to become a citizen must precede the application for citizenship itself, there is no sure way of identifying the applicant as the man who has declared

aging the exercise of the suffrage by the illiterate or the infirm.”—TAMMANY HALL, by resolution unanimously adopted Jan. 26, 1890.

“In the constitution of Spain, as proposed by the late Cortez, there was a principle entirely new to me, and not noticed in yours, that no person born after that day should ever acquire the rights of citizenship until he could read and write. Of all those which have been thought of for securing fidelity in the administration of the government, constant reliance on the principles of the constitution . . . it is the most effectual. Enlighten the people generally, and tyranny and oppressions of body and mind will vanish like evil spirits at the dawn of day.”—THOMAS JEFFERSON, in a letter to Dupont de Nemours dated April 16, 1816.

his intention, though the old law of 1802 secured this identification. But it is not the purpose nor within the scope of this paper to dwell on minor blemishes, but to advocate a fundamental change of policy.

One important alteration in our present system, and the last to be suggested, concerns the method of bestowing the gift of the suffrage. While the regulations for examining applicants ought to be in no way oppressive, it should be the policy of the law to make them impressive and even imposing. The time required to pass upon the merits of each case, including proof of identity, residence, character, and general qualification, need not be long, and very seldom would be if the applicant could answer for himself without the aid of an interpreter. But the country owes to itself as well as the applicant that an appearance of solemnity

mark the proceedings commensurate in some degree with the great value and dignity of the privilege sought and conferred. Instead of the utterly undignified and helter-skelter procedure so much in vogue, all the surroundings, as well as the language and demeanor of the judge and court officials, should indicate the interest and importance of the occasion. Perhaps it would assist in producing the effect desired, and enhance in the eyes of the new-comers the great duty and privilege of American citizenship, were the following words of an American statesman—more familiar to us than to them—posted conspicuously on the walls in full view of every aspirant: “The boastful asseveration of the Roman, ‘Civis Romanus sum,’ is tame and unmeaning when contrasted with the full meaning of the declaration, ‘I am

an American citizen.' To possess a title to that distinction, the more precious because enjoyed and to be enjoyed by countless millions, is the most priceless temporal gift of God to man. You must spend days in reflection ; you must call to your aid the annals of history through long cycles of time ; you must hear the cry of the oppressed for ages ; you must listen to the tumult of a thousand battles ending in a deeper degradation, before you can estimate the worth of American citizenship, with its immunities from thralldom, its elevating rights and privileges, and its opportunities for dignity and usefulness."

CHAPTER V.

EUROPEAN RESPONSIBILITY FOR AMERICAN CRIME.*

THE following chapter treats mainly of the episode of the Mafia outbreak and lynchings in New Orleans. It is added, however, because it illustrates one of the appalling features of immigration, the persistent policy of foreign officials to unload on our devoted

* By this is meant responsibility of European *governments* for American crime, which is largely due to the vast criminal immigration aided or abetted by those governments. A good deal of this chapter was first published in the San Francisco *Alta California* some years ago, under the title, "*Italy vs. America, A Plea in Justification.*"

shores their most worthless and dangerous classes. It is astonishing how little attention this phase of the problem has received. And this experience at New Orleans and the international complication that ensued show that entire neglect of the history of immigration referred to in a preceding chapter. If that history had been at all familiar the probable complicity of Italy in the Mafia immigration would have been known, and it surely would have been dwelt on when the discussion was rife. But hardly an allusion to Italian responsibility appeared at the time. If the department of state were posted in this matter it might not come amiss in the next international crisis.

Justification to ourselves, to our children, to civilization is impossible for such an outbreak

as recently occurred at New Orleans. For it was the natural development and outgrowth of the social conditions which more and more are coming to prevail in all the large cities of the country. We have long permitted an indiscriminate immigration of anarchist, communist, nihilist, pauper, criminal, contract laborer, Chinese highbinder, and Italian brigand, and the results of the experiment are becoming apparent. Class and race conflicts of growing magnitude will ensue, alternating with an occasional carnival of crime such as we have just witnessed.

These considerations certainly merit more careful attention than we have been wont to bestow on them. Although perhaps not touching directly the international issue, they have yet a bearing upon it. Moreover, the Louisiana affair,

viewed from this aspect, alters the meaning of the facts and sheds a new light on the situation there, tending to shift a considerable part of the responsibility for what has happened from the people of New Orleans to the people of the United States.

Of course opinions will differ as to whether a community is ever justified in taking the law into its own hands during times of peace. We may not feel disposed to exonerate the people of New Orleans or even to extenuate their action. But there is no reason why we should not try to look at the matter from a New Orleans standpoint, and to do so might afford us a better insight into the conditions and circumstances that led to the tragedy.

It is quite evident that the people of the Southern city regard all that has happened as a calamity rather

than as a crime, so far as they themselves are concerned. On no other hypothesis is it possible to account for the deliberate action of the mob and the determined, persistent attitude of the populace after the occurrence. To justify the step taken the claim was made that in no other way was it possible to mete out justice, or what was deemed justice, which implies that the general social conditions and the character of a portion of the population rendered the law powerless. Herein lies the real interest and gravity of the case, for what is true of the social conditions of New Orleans and of the character of her population is true to a greater or less extent of every large city in the United States.

In the administration of justice under our laws the only recognized or authorized punishment of crime is by means of that eminently

Anglo-Saxon institution, trial by jury. Whether trial by jury can accomplish the purpose for which it was designed depends almost entirely upon the character and disposition of the population of a country. The people from whom the jury are drawn need to have a certain amount of intelligence, education, judicial capacity, and training in self-government. And then the general sentiment of the community must be one of law and order, a sentiment that may criticise the law, but will only under the most exceptional circumstances fail to guard and uphold it.

We can really best appreciate this peculiar feature of Anglo-Saxon civilization by reflecting how obviously impracticable anything like a general extension of trial by jury would be in certain parts of Europe. There are some

sections of their native country in which, were members of the Mafia to be indicted for crime, no one would think of claiming for them the right of jury trial. The political and social conditions which obtain would render it impossible to accord them that privilege. In various parts of Italy it might not be feasible to find a jury of the neighborhood possessing the requisite qualifications derived from training and experience. Nor could the surrounding population be relied upon to uphold the verdict of a jury. Those who might endeavor to influence the jurymen or to interfere with the execution of their decree would conceive that in so doing they were striking a blow not at the people or at the country, but merely at the state as an instrument of government, a view likely to be shared by a considerable part of the people, and strik-

ingly illustrative of the difference in the theory of government between the Anglo-Saxon and Continental systems.

Until a people become thoroughly imbued with the English or American idea of administering justice, trial by jury cannot be relied upon. Its most conspicuous failures in this country now and for years past have been in our large cities, where the population is only partially Americanized. Bribery is the usual and familiar means of defeating or baffling justice. That bribery and intimidation sometimes succeed and frequently remain undetected is due partly to the character of the jury, and largely to the character of the surrounding population, certain classes of which seem to have no adequate appreciation of the enormity of the offense.

Criminals themselves and their immediate friends may be expected

in any country to attempt unlawful methods of influencing a judge or jury. But wherever the jury system prevails it is presumed that, as a measure of self-defense, the community will be ever on the alert to detect and punish bribery. In a republic like ours jury bribing and intimidation are the greatest of crimes, aimed not merely at government, but at the very foundations of society, at the people themselves; for here, in a fuller sense than elsewhere, the people are the state.

At the New Orleans trial, bribery, it appears, was not the only influence brought to bear. If we are to credit the reports the jury and their families were threatened with death in case of conviction. Under the circumstances this could have been no vague or empty threat. It would make a vivid impression on the minds of men

having before their eyes the fate of a prominent official who had fallen by the same hands which menaced them, assassinated openly in the public streets. If an armed and courageous officer of the law had suffered death, what prospect had a private citizen of escaping that fate ?

If the foregoing description pictures truly the condition of affairs, it might be said that the final catastrophe, the climax, was inevitable. The collision between the officers of the law and the Mafia may have been its occasion, but the settlement in the community of large numbers of bandits and assassins was the real cause. Associations of men secretly organized for the purpose of blackmail, and resorting to assassination, whether to accomplish the purpose or to punish their foes, are modern Ishmaelites destined to come in

conflict with the law in any community. Criminals at home, criminals they remain. *Cœlum non animam mutant*. Louisiana does not afford the only illustration of their peculiar traits. The daily press for years past has chronicled the doings and misdoings of the Mafia in various parts of the country.

The ordinary methods and measures of law would not be applied to them in their native land, and experience has shown that in a republic such methods and measures are even less effective than in a monarchy. These considerations should induce leniency of judgment towards our countrymen of the South, and might well give pause to some of their critics. Instead of putting the entire burden of responsibility on the people of New Orleans, who have nothing whatever to do with foreign im-

migration, it would be more just and more generous to hold ourselves accountable.

Such a course also might prove more politic in treating with the government of Italy. Nothing that has so far been said could avail us much as an argument in the international dispute, except in conjunction with *other* circumstances and considerations. To urge, for instance, that the New Orleans victims were confirmed law-breakers, incapable of being dealt with like ordinary criminals, and to point to Italy's own experience in confirmation, seems perhaps to invite the question, Why, then, did the government of the United States admit them?

But that is precisely the question which Italy is not likely to put. It might be an awkward query—for Italy. Such an inquiry would lead naturally to questions

on our part, and the result of a thorough examination would perhaps show that the Italian government was directly concerned in the immigration of the Mafia, and therefore like the government of the United States to some extent a *particeps criminis*.

This New Orleans incident appears to have caused the world as much surprise as horror. But the *governments* of the world have no occasion for surprise at anything that has occurred. Our official and diplomatic records disclose the fact that for many years we have attributed largely to governmental influence the pauper and criminal element of our foreign immigration, and have addressed repeated but futile remonstrances on the subject to various foreign governments.

More than fifty years ago Congress began to investigate the

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matter, and in 1838 reported :
“The fact is unquestionable that large numbers of foreigners are annually brought to our country *by the authority and at the expense of foreign governments* and landed upon our shores in a state of absolute destitution and dependence, many of them of the most idle and vicious class. Many of them ” (the emigrants) “ are outcasts, paupers, vagrants, and malefactors from the poorhouses and penitentiaries of Europe sent hither at the expense of foreign governments.”

Despite our protests and the remedial legislation of 1838, the committee of foreign affairs made a report to the House again in 1856 on “ foreign criminals and paupers,” the statistics in which amply justify this statement of the committee : “ Crime and pauperism are the bane of a republic . . . That these evils have of late years

grown far beyond the ratio of the increase of population is an admitted fact. . . . Thousands have come hither" (within the ten years preceding the report) "to fill our streets as beggars or to become the inmates of our almshouses and other charitable institutions. Undesirable as such a population may be, we are yet afflicted with one of a still worse character derived from the same source. Our country has been converted into a sort of *penal colony* to which *foreign governments* ship their criminals. It is not only the thriftless poor who come hither, but inmates of the prisons of Europe are sent hither by their governments to prey upon society and to contaminate our people with their vices."

But the evil complained of was not even abated until the rigorous legislation of 1882, and nothing like a cure has ever been effected.

For the report on the importation of contract labor (1889) discloses the agreeable fact that the governments of England, Ireland, Germany, and Switzerland were and probably are still offering various inducements to their worthless and criminal classes to take up their abode with us.

So far as Italian subjects are concerned, the testimony elicited by the committee of 1889 was inconclusive. In this connection, however, there are several facts of significance. The superintendent of the immigrant landing-depot in New York testified that every Italian who comes here is provided with a passport by his government, a rule which is by no means universal among other nationalities. In response to a question whether it would not therefore be impossible for an Italian criminal to land, the answer was : " We have sent

them back"—Italian criminals, be it noted—"within ten days, and they *had* their passports. Q. Nothing was mentioned in the passport that they had been convicted of a crime? A. Nothing, sir. Q. Your opinion is based upon your knowledge that it is just as easy for a convict, for a criminal, to obtain a passport as for any other person? A. So far as I know, that is so."

Such testimony assumes special importance in view of the recent admissions of Italian papers that the Mafia and other Sicilian bandits and assassins have been uprooted by the authorities and driven out of their native country. But what is the land of their exile? As large numbers have recently appeared among us it seems natural to conclude that, unless Italy has departed from the general European custom, they were destined for these United States. The compar-

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atively recent influx of Italian immigration also has an important bearing upon the question of Italy's responsibility for the presence here of the Mafia. And the continued arrival of such an undesirable element illustrates the efficacy of the latest and most rigid of our laws that were designed to bar its entrance. These laws were passed in 1882, and are presumed to have checked undesirable immigration. It is *since* that date, however, that the bulk of the Italian, including the Sicilian and Mafian, immigration has reached us.

Now, if it is a fact that the Italian government is responsible for the presence here of the Mafia organizations, were we accountable *to Italy* for the New Orleans affair under the code of international or moral law? If Italy, like other nations, has been making us "a

sort of penal colony " for the Mafia and kindred societies, is she not the real cause of the late catastrophe, or, at least, has she not contributed to it, to use a legal phrase, in such sense as to bar all claims to reparation? If her claims are not barred, by all means let us make every amend in our power and add in no way to the load of responsibility—the responsibility already alluded to and admitted—which rests upon our shoulders.

But why not seize the opportunity to assert claims of our own, claims to immunity from the injuries we so long have suffered from the nations of Europe? Our government has protested and legislated to little effect, it would seem, and now it might be well for the voice of the people to be heard. Whether or not the people of New Orleans were justifiable is open to question. But if the people of the

United States should assert themselves in an unmistakable manner at this time, there can be little doubt of the beneficial effect of such action. Let us request the government of the United States to ascertain whether Italy induced the Mafia to emigrate to this country. If that responsibility rests on Italy, we also are surely entitled to ask redress.

When the subjects of one nation are unjustly treated by those of another, the offended nation demands satisfaction, and satisfaction refused is deemed a *casus belli*. Such was Italy's position, ordinarily an unassailable one. But if maltreatment of individual subjects is a *casus belli*, why not make the future shipment of large numbers of paupers and criminals to the shores of a friendly nation a *casus belli*? What deeper, deadlier injury can one nation inflict on

another? An attempted invasion by the armies of Europe would in reality be far less menacing to our institutions, to our civilization, than the invasion we actually endure.

Whatever the wrongs of Italy in the recent controversy, those of America were at least as great, and they fail to obtain the slightest recognition. If we owe reparation, let us discharge the debt, asserting, however, our own rights in unmistakable language, so that some good may grow out of this evil.*

* At the time of the New Orleans outbreak the following vigorous resolutions were passed by a patriotic society and published in Western papers :

“ Resolution One.

“ Whereas the recent tragedy at the city of New Orleans has surprised and horrified the world, and has called forth general criticism and condemnation, and, whereas, we believe that the presence in large numbers in any community of the class

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known as the Mafia may render the ordinary operation of justice impossible—

“ Resolved, that as American citizens we sympathize with the citizens of New Orleans in the experience they have recently undergone, and desire to express our conviction that the circumstances of the case may have justified the people—the ultimate source of law—in taking into their own hands the execution of the law.

“ *Resolution Two.*

“ Whereas the governments of Europe have long been directly instrumental in shipping pauper and criminal immigration to America against our repeated protests, and, whereas, there is strong reason to believe that the government of Italy has proved no exception to the general rule, Resolved, that we deem it a fitting time to urge the government of the United States to investigate Italian immigration to ascertain whether the Italian government has been aiding or abetting pauper and criminal immigration to our country ; and,

“ Whereas, the government of Italy has claimed indemnity and satisfaction from the government of the United States for the death or maltreatment of certain alleged Italian citizens at New Orleans,

“ Resolved, that we favor granting such satisfaction to the Italian government as

